

DT03 Rec'd PCT/PTO 04 OCT 2004

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

21078YP

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/510067

INTERNATIONAL APPLICATION NO.

PCT/US03/10341

INTERNATIONAL FILING DATE

04 April 2003

PRIORITY DATE CLAIMED

08 April 2002

TITLE OF INVENTION

INHIBITORS OF AKT ACTIVITY

APPLICANT(S) FOR DO/EO/US

Craig W. Lindsley and Zhijian Zhao

**Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:**

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures [35 U.S.C. 371(f)]. The submission must include items (5), (6), (9) and (19) indicated below.
4. ☒ The US has been elected (PCT Article 31).
5. ☒ A copy of the International Application as filed [35 U.S.C. 371(c)(2)]
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed [35 U.S.C. 371(c)(2)].
7. ☒ Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)].
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)].
9. ☒ An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)].
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)].

**Items 11 to 18 below concern other document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☒ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ Other items or information:

**EXPRESS MAIL CERTIFICATE**

DATE OF DEPOSIT

10-4-04

EXPRESS MAIL NO.

EV331987295 4S

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS  
BEING DEPOSITED WITH THE UNITED STATES POSTAL  
SERVICE AS EXPRESS MAIL "POST OFFICE TO ADDRESSEE"  
ON THE ABOVE DATE IN AN ENVELOPE ADDRESSED TO

COMMISSIONER FOR PATENTS, P.O. BOX 1450,  
ALEXANDRIA, VIRGINIA 22312-1450

Computer generated form (Transmittal Letter to the United States Designated/Elected Office (DO/EO/US)) (PCT Folder), Merck & Co., Inc., 9/29/2004  
MAILED BY Carolyn Schep

DATE

OCT 7, 2004

U.S. APPLICATION NO. (If known, see 37 CFR 1.53) <div style="font-size: 24pt; font-weight: bold;">10/510067</div>		INTERNATIONAL APPLICATION NO. PCT/US03/10341		ATTORNEY'S DOCKET NUMBER <div style="font-size: 18pt; font-weight: bold;">DT04 Rec'd PCT/PTO 0 4 OCT 2004</div> 21078YP	
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19. <input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE [37 CFR 1.492(a)(1)-(5)]:</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee [37 CFR 1.445(a)(2)] paid to USPTO and International Search Report not prepared by the EPO or JPO..... <b>\$1,110.00</b> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO..... <b>\$950.00</b> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee [37 CFR 1.445(a)(2)] paid to USPTO ..... <b>\$790.00</b> International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4)..... <b>\$750.00</b> International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4)..... <b>\$100.00</b> <div style="text-align: right;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></div>				<b>CALCULATIONS</b>		<b>PTO USE ONLY</b>	
				\$730.00			
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than 30 months from the earliest claimed priority date [37 CFR 1.492(e)].							
Claims	Number Filed	Number Extra	Rate				
Total Claims	19 - 20 =	0	X <b>\$18.00</b>	\$0.00			
Independent Claims	1 - 3 =	0	X <b>\$88.00</b>	\$0.00			
Multiple dependent claim(s) (if applicable)				+ <b>\$300.00</b>		\$0.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$730.00			
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.							
<b>SUBTOTAL =</b>				\$730.00			
Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+			
<b>TOTAL NATIONAL FEE =</b>				\$730.00			
Fee for recording the enclosed assignment [37 CFR 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property.				+			
<b>TOTAL FEES ENCLOSED =</b>				\$730.00			
				Amount to be refunded			
				charged			

  

a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. 13-2755 in the amount of \$730.00 to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to the Deposit Account No. 13-2755. A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive [37 CFR 1.137(a) or (b)] must be filed and granted to restore the application to pending status.**

**SEND ALL CORRESPONDENCE TO:**  
**Customer No. 000210**

MERCK & CO., INC.  
 Patent Department, RY60-30  
 P.O. Box 2000  
 126 East Lincoln Avenue  
 Rahway, New Jersey 07065-0970

DATE: October 4, 2004

PHONE #: (732) 594-1404

SIGNATURE  
 Matthew A. Leff  
 NAME  
50,149  
 REGISTRATION NUMBER